

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

REPUBLIC OF BENIN

Plaintiff,

-against

BEVERLY MEZEI, et al,

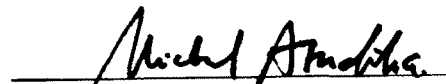
Defendants.

06 CV 0870
(JGK)(MHD)

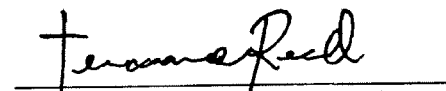
MOTION OF THE PLAINTIFF REPUBLIC OF BENIN FOR SUMMARY JUDGMENT

The plaintiff Republic of Benin ("Benin") respectfully moves this Court pursuant to Rule 56 of the Federal Rules of Civil Procedure for summary judgment against defendants Robin Shimoff and Beverly Mezei. As further explained in Benin's accompanying Memorandum of Points and Authorities in support of its motion, Benin is entitled to judgment as a matter of law on its claim that it remains the lawful and rightful owner of the real property at issue in this action, hereinafter "the Lot." Republic of Benin v. Mezei, 483 F. Supp.2d 312, 312 (S.D.N.Y. 2007) (describing the disputed real estate as the "Lot") ("Benin"). Specifically, the two alleged transfers of the Lot, first to defendant Shimoff, and then to defendant Mezei, are void under New York General Obligations Law § 5-703(2), and are otherwise void for lack of actual or apparent authority. Accordingly, this Court should enter judgment for Benin.

Respectfully submitted,



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